

# RETURN

(170)

To AN ORDER OF THE HOUSE OF COMMONS, dated March 3, 1913, for a copy of the contract passed on the 6th day of August, 1910, between the city of Quebec and the Transcontinental Railway Commissioners, for the acquisition by the latter of the property known as the Champlain Market, to be used as a station and terminals for the said railway; of all correspondence between the said city and the present Commissioner of the said railway with the Minister of Railways, or any other minister, with regard to the non-execution of the said contract by the said Commission.

LOUIS CODERRE,

*Secretary of State.*

File No. 5875-77 R.

DEPARTMENT OF RAILWAYS AND CANALS.

RETURN No. 138-1912-1913.

Return in answer to an Order of the House of Commons, dated March 3, 1913, calling for a copy of the contract passed on the 6th day of August, 1910, between the City of Quebec and the Transcontinental Railway Commissioners, for the acquisition by the latter of the property known as Champlain Market, to be used as a station and terminals for the said railway, of all the correspondence between the said city and the present Commissioner of the said railway, with the Minister of Railways, or any other minister, with regard to the non-execution of the said contract by the said Commission.

THE COMMISSIONERS OF THE

TRANSCONTINENTAL RAILWAY,

OTTAWA, March 11, 1913.

J. W. PUGSLEY, Esq.,

Assistant Secretary,

Department of Railways and Canals,

Ottawa.

DEAR SIR,—Referring to your letter of the 8th instant, return No. 138, 1912-13, I have the honour to hand you herewith this return, in triplicate.

Your obedient servant,

P. E. RYAN,

*Secretary.*

RETURN No. 138, 1912-13.

*To Order of the House of Commons, dated the 3rd day of March, 1913.*

1. Copy of contract passed on the 26th day of August, 1910, between the City of Quebec and the Commissioners of the Transcontinental Railway, relating to Champlain Market.



3 GEORGE V., A. 1913

2. Copy of all correspondence between the City of Quebec and the present Commissioners of said railway, with regard to the non-execution of the said contract by the said Commission.

CITY CLERK'S OFFICE,

QUEBEC, June 1, 1912.

Major LEONARD,

President of the

Transcontinental Railway Commission,  
Ottawa.

Mr. PRESIDENT,—I am directed by the Mayor of the City of Quebec to forward you a copy of a Resolution unanimously adopted by the City Council at a meeting held on the 31st day of May, 1912, and to submit it to your kind consideration.

Believe me, dear sir,

Yours truly,

(Sgd.) H. J. J. B. CHOUINARD,

*City Clerk, by A.G.*

CITY HALL, CITY CLERK'S OFFICE,

QUEBEC, June 1, 1912.

At a meeting of the Municipal Council of the City of Quebec, held on the 31st day of May, 1912, it was

RESOLVED that, in the interest of the tax-payers, this council takes the liberty of drawing the attention of the chairman of the Transcontinental Railway Commission to the fact that the City of Quebec has sold, two years ago, for a nominal sum, to the Transcontinental Railway Commission, the site of the Champlain Market, in consideration of important works which were to be executed immediately, and which were to cost several millions of dollars. The contract passed to that effect has not yet been put to execution, and this council would be most pleased to learn the intentions of the Transcontinental Railway Commission with regard to the execution of the works which were to be undertaken on said site.

Certified,

True copy,

(Sgd.) H. J. J. CHOUINARD,

*City Clerk.*

OTTAWA, June 3, 1912.

H. J. J. CHOUINARD, Esq.,

City Clerk,

Quebec, P.Q.

DEAR SIR,—I beg to acknowledge receipt of your letter of the 1st instant, enclosing copy of Resolution passed by the Quebec City Council on the 31st ultimo, in



## SESSIONAL PAPER No. 170

reference to the Champlain Market property purchased by this Commission, and in reply to say that the matter will receive due consideration.

Yours very truly,

(Sgd.) R. W. LEONARD.

The twenty-sixth day of the month of August, one thousand nine hundred and ten.

Before Charles Edmond Taschereau, Notary Public for the Province of Quebec, residing in and practising at Quebec:

Appeared:—

The City of Quebec, here represented by His Honour, Napoleon Drouin, in his capacity as mayor of the said city and authorized for the purpose of these presents by and in virtue of a resolution passed by the Municipal Council of the said City of Quebec, at a sitting of the said council of date the fourteenth day of June, nineteen hundred and ten, and of which a certified copy is annexed to the minute of these presents, the party of the one part, hereinafter called the vendor, and

The Transcontinental Railway Commission, a body politic and incorporated under and by virtue of the statute of the Parliament of Canada, 3 Edward VII, chapter 71, the said Commission acting herein by means of its president, the Honourable Simon Napoleon Parent, of the City of Ottawa, advocate and King's Counsel, the said Commissioners authorized for the purpose of these presents by an Order in Council of the Government of the Dominion of Canada, dated the twenty-second day of the present month of August, and of which certified copies are also annexed to the minute of these presents, the parties of the other part, hereinafter called the vendee, which parties have declared to us as follows:—

Whereas, by the Act of the former Parliament of Canada, 16 Victoria, chapter 234, of June 14, 1853, Her Majesty has granted to the said City of Quebec, a piece of land situate in the said city, then known and designated under the name of the Cove Harbour, and now known and designated by the number two thousand three hundred (2,300) in the official cadastre for the Champlain quarter of the said City of Quebec.

Whereas, in order to comply with the conditions imposed on the said City of Quebec, by this statute, 16 Victoria, chapter 234, the said city has converted the said Cove Harbour into a piece of firm ground and has built wharfs and landing places in front thereof for the purpose of facilitating the access to and the mooring of ships, in compliance with the said law, and where for more than fifty years, it has constructed thereon and maintained a public market with market hall, the whole known as being the Champlain market.

Whereas, by the statute of the Parliament of Canada, 3, Edward VII, chapter 71, His Majesty has decided to build for the state, a railway from the City of Moncton, in the Province of New Brunswick, to Winnipeg, in the Province of Manitoba, crossing the St. Lawrence river by a bridge now under construction between the parishes of St. Romuald and St. Felix of Cap Rouge, near the City of Quebec.

Whereas, for the use and efficiency of operating the said railway, the Commission proposes to build a branch line or branch lines of the said railway from the said bridge under construction over the river St. Lawrence, or to leave from other points to meet at the harbour and in the City of Quebec, for the despatch or receiving by sea, of the general traffic of the said railway and of other railways and that for this purpose, the tracks of the said railway are to be laid along the river St. Lawrence, in the said Champlain quarter, in order to make use of the wharfs, docks, buildings, elevators and other accessories already constructed, or which are to be here constructed.



3 GEORGE V., A. 1913

Whereas, for the purposes above mentioned, the Commission is going to construct in the said Champlain quarter, a station, waiting rooms, sheds and warehouses for merchandise, works, workshops and other buildings, and to acquire for these purposes the lands and rights of way, necessary for the road and the construction of the said buildings.

Whereas, in order to determine the indemnity to be granted to the City of Quebec for the purchase of the said piece of land, the parties are agreed not to have recourse to an arbitration, and have consented to the transfer and sale of the said piece of land and of the wharfs and buildings thereon constructed, on the conditions hereafter mentioned.

Accordingly, the said City of Quebec transfers and sells to the said vendees, the said piece of land now known and designated under the number two thousand three hundred (2,300) on the official plan and book of reference of the cadastre for the Champlain quarter, of the City of Quebec, with the buildings thereon constructed and bounded as follows:—On the north by the Champlain Market street, on the south by the lot numbered two thousand three hundred and one, on the east by the river St. Lawrence, and on the west by Cove street, measuring four hundred and twenty-seven feet on Champlain Market street, three hundred and seventeen feet and six inches on the line dividing it from the cadastral lot two thousand three hundred and one, four hundred and sixty feet over the River St. Lawrence, and three hundred and thirty-nine feet over Cove street without guarantee of precise measurements and without reserve on the part of the vendor and with the rights which the vendor may have over the River St. Lawrence and its shores in front of the real estate above described and as comprised between the letters A, B, C, D, E, F, G, H, I, J and K, on the plan hereto annexed and signed by the parties and the said notary with the following conditions, that is to say:—

1. The vendee shall take possession of the said piece of land and the buildings thereon erected on the first November next, with the exception of the building now occupied and belonging to Joseph Simard and Joseph Napoleon Beaumont on the wharf of the said Champlain market, which building the said Simard and Beaumont are to remove on or before the thirtieth of April, nineteen hundred and twelve, in conformity with the lease entered into between them and the said city, before Notary Joseph Allaire, on thirtieth January, nineteen hundred and six.

2. The said city shall have, however, till the first November, nineteen hundred and twelve, gratuitously, the use and enjoyment of the wharfs and of that portion of the market which the commission shall not need and which will not be injurious to the construction of the station or railway station, also the landing places, pontoons and accessories erected on the said lot of land with passage and access to them, in order to lay alongside and moor vessels and for the purposes of maritime trade, and it shall continue, during the said space of time, to collect, for its own profit, the wharfage tolls as it now does, on condition of its making the repairs which may become necessary, the whole at its own risk and peril.

3. The said commission engages itself to expend a sum of two million dollars at least to construct on the said piece of ground and the ground in the vicinity of a railway station or station, sheds, warehouses, workshops and works, the said sum not including the cost of purchase or of the expropriation of the lands to be acquired for the right of way for the lines of the said railway, works, warehouses, &c. These workshops and works shall be the most extensive of the Transcontinental railway in the Province of Quebec.

4. After taking possession of the said lot of ground, the commission shall begin the works for which the said piece of ground is acquired and shall diligently continue the said works and the construction of the buildings which it now engages itself to build thereon.



## SESSIONAL PAPER No. 170

5. If, however, the said commission cannot procure, within the limits of the city a piece of ground suitable for the construction and operation of the workshops and works, it is agreed that the said workshops and works may be constructed, maintained and operated at a place outside the limits of the city, provided that such place be also brought as near as possible to the said limits, but not going beyond the suburbs.

6. For the construction of the different buildings herein above mentioned and for the placing of the tracks of the said railway, if it happens that the Commission needs to use the ground of some street or part of a street opening on this ground or enclosing it, now in existence in the vicinity of its works in the city, it shall furnish the ground necessary to open and construct new streets or parts of streets to replace, as much as there shall be need for, the streets or parts of streets to be taken by the commission, the whole subject to the approval and control of the city engineer, the said commission pledging itself that the public traffic should not be interrupted until the new streets be opened.

7. The said new streets or parts of streets shall be then made and built with diligence and maintained thereafter by the commission at its own cost.

8. The city shall have the right to make such regulations as it shall judge suitable for the purpose of putting the said streets under the authority of its municipal regulations, relating to the police, traffic and the maintenance of good order.

9. It is agreed between the parties that the grantee shall keep the City of Quebec indemnified from all damages which may result and be sought from the city by the riverside proprietors of the said abolished streets or parts of streets, by reason of the said abolition and closing of the said streets or parts of streets.

10. As complement of the indemnity in favour of the said city, by reason of the various conditions and considerations hereinbefore enumerated, the grantee now pays to the said City of Quebec, a sum of one hundred thousand dollars, for which a receipt is given by these presents.

Made and passed at Quebec, the day and year aforesaid under the number five thousand and four hundred and ninety-nine of the minutes of the said C. E. Taschereau.

In witness whereof the parties have signed with the said notary after reading of these presents.

(Signed) S. N. PARENT.  
NAP. DROUIN.  
C. E. TASCHEREAU, N.P.

True copy of the minute which remains of record in my office.

(Signed) C. E. TASCHEREAU, N.P.











